

REMARKS

In the Final Office Action dated July 3, 2001, the Examiner rejected claims 1, 2, 12, 13, 23, 24, 35, 36, and 43 under 35 U.S.C. § 102(b) as being anticipated by Ahlstrom et al. (U.S. Patent No. 4,862,357); rejected claims 3-8, 10, 14-19, 21, 25-30, and 32 under 35 U.S.C. § 103(a) as being unpatentable over Ahlstrom et al. (U.S. Patent No. 4,862,357) in view of DeLorme et al. (U.S. Patent No. 5,948,040); and rejected claims 11, 22, 33, 34, and 37-42 under 35 U.S.C. § 103(a) as being unpatentable over Ahlstrom et al. (U.S. Patent No. 4,862,357) in view of DeLorme et al. (U.S. Patent No. 5,948,040), in further view of Walker et al. (U.S. Patent No. 5,897,620).

By this amendment, Applicants have amended claims 1, 2, 11, 12, 13, 22, 23, 24, 33, 34, and 36-42, and added new claims 44-51 to present various features consistent with certain principles related to the present invention. In view of these amendments and the following arguments, Applicants respectfully request the allowance of claims 1-8, 10-19, 21-30, and 32-51.

Regarding claim 1, the Examiner argued that “even if a processor performs all the [recited] steps recited in claim 1, none of these steps distinguish from the Ahlstrom et al. reference. Claim 1 calls for five steps ... these exact steps occur in Ahlstrom et al. Ahlstrom et al. does not suggest human intervention in performing any of the recited steps of claim 1, so this reference must fully anticipate claim 1” (see Advisory Action, page 2, lines 6-14). Applicants respectfully disagree.

Ahlstrom et al. teaches “[t]he operator of the system 20 inputs a starting location and final location, together with any desired intermediate stops, at the local terminal (see Ahlstrom et al., col. 2, lines 23-26). Accordingly, the reference does disclose human intervention in determining intermediate locations, which teaches away from the recitations of claim 1.

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Further, claim 1 recites, among other things, generating a report including a value for each alternative itinerary reflecting a savings in travel costs in comparison with the travel itinerary specified in the request. Ahlstrom et al. fails to teach or suggest a report that includes such a savings value.

The Examiner argued, with respect to claim 2, that Ahlstrom et al. “clearly teaches the concept of displaying alternative itineraries and various differences between those itineraries, such as cities encompassed by those itineraries and the relative value score for each itinerary and alternative itinerary.” (see Advisory Action page 2, lines 15-20). Applicants respectfully disagree with the Examiner. The information reported by Ahlstrom et al. does not include a **value for each alternative itinerary reflecting a savings in travel costs**, but rather simply provides the score values for each travel alternative. This requires a user to determine the savings or difference in costs between a travel alternative and the travel between the originating an destination locations specified by the user. The recitations of claim 1 require no such human intervention because a savings value is already provided in the report.

Accordingly, because Ahlstrom et al. fails to teach every recitation of claim, as required by Section 102, Applicants request that the rejection of claim 1 be reconsidered and the claim allowed.

Claim 12 is drawn to a computer readable medium containing instructions executable on a computer. The instructions are executable to perform the method described above with reference to claim 1. Accordingly, Applicants respectfully submit that claim 12 is patentable for at least the reasons given with respect to claim 1.

Claims 23 and 36 are drawn to an apparatus for providing information regarding savings associated with travel alternatives. The apparatus includes elements that perform functions

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similar to the process steps described above with reference to claim 1. Accordingly, Applicants respectfully submit that these claims are patentable for at least the reasons given with respect to claim 1.

Regarding claim 2, Ahlstrom et al. does not teach a report that includes the requested travel itinerary, the alternative itineraries, the value for each travel itinerary and the savings in travel costs is based on a difference between values of for the travel itinerary in the request and each of the alternative itineraries (see arguments associated with claim 1 above). Accordingly, Applicants request the reconsideration and allowance of claim 2.

Claim 13 is drawn to a computer readable medium containing instructions executable on a computer. The instructions are executable to perform the method described above with reference to claim 2. Accordingly, Applicants respectfully submit that claim 13 is patentable for at least the reasons given with respect to claim 2.

Claim 24 is drawn to an apparatus for providing information regarding savings associated with travel alternatives. The apparatus includes elements that perform functions similar to the process steps described above with reference to claim 2. Accordingly, Applicants respectfully submit that claim 24 is patentable for at least the reasons given with respect to claim 2.

Regarding claim 10, the Examiner argued that DeLorme et al. teaches discount offers, that “are pre-negotiated packages by their very definition. The recitation of ‘attractions, events, and seasonal activities’ are also broad enough in scope to encompass pre-negotiated travel packages” (see Advisory Action, page 3, lines 1-7). Applicants respectfully disagree.

Contrary to the assertion by the Examiner, a “discount offer” is not by definition a pre-negotiated package. A pre-negotiated package requires a negotiation, which is an act or process of conferring with another or others in order to come to terms or reach an agreement (see

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American Heritage College Dictionary, definitions for “negotiate” and “negotiation”). for example, a pre-negotiated package may reflect packages for travel, lodging, etc., that are pre-negotiated with service providers (e.g., four nights in the New York Hilton and airfare for \$500). A discount offer, on the other hand, may be unilateral. That is, an entity may provide a discount offer without ever conferring, discussing, or negotiating, with another entity. Accordingly, Applicants request that the Examiner provide evidence that shows DeLorme et al. suggests or teaches a negotiation between a provider of travel resources to provide a “discount offer.” Absent such showing, Applicants request the allowance of claim 10.

Further, Applicants submit that the Examiner’s position that “[t]he recitation of ‘attractions, events, and seasonal activities’ are also broad enough in scope to encompass pre-negotiated travel packages” is misguided. A claim recitation cannot be rejected under Sections 102 or 103 based on a teaching that is broader than the claim recitation. In fact, rejecting a claim under either Section 102 or 103 requires just the opposite. A claim recitation requires a reference to teach or suggest that narrow claim recitation. The Examiner cannot argue that a reference is so broad that it teaches a claim recitation. For example, a claim recitation that includes a computer system that is powered by a 12V DC battery cannot be anticipated by a reference that simply teaches a computer system with a power supply. The recitations “12V DC battery” is explicitly required in the claim, thus the reference must include a teaching of the same. Accordingly, the breadth of “attractions, events, and seasonal activities” taught by DeLorme et al. does not anticipate or suggest pre-configured packages based on prior negotiations with providers of travel resources, as recited in claim 10. Accordingly, Applicants request the reconsideration and allowance of claim 10.

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Claim 21 is drawn to a computer readable medium containing instructions executable on a computer. The instructions are executable to perform the method described above with reference to claim 10. Accordingly, Applicants respectfully submit that claim 21 is patentable for at least the reasons given with respect to claim 10.

Claim 32 is drawn to an apparatus for providing information regarding savings associated with travel alternatives. The apparatus includes elements that perform functions similar to the process steps described above with reference to claim 10. Accordingly, Applicants respectfully submit that claim 32 is patentable for at least the reasons given with respect to claim 10.

Dependent claims 3-8, 14-19 and 25-30 are deemed allowable for at least the reasons set forth above for their respective base claims.

Regarding claim 11, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach, among other things, a process that allows a value of a travel itinerary specified in a user request and the values for determined alternative itineraries to be **reconfigured** based on responses from a price to beat request. The scores associated with a travel path, taught by any of the references, are never reconfigured based on values provided by travel providers. Further, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach or suggest, among other things, providing a report including an indication of the reconfigured values of the travel itinerary and the alternative itineraries. Accordingly, Applicants request the reconsideration and allowance of claim 11.

Claim 22 is drawn to a computer readable medium containing instructions executable on a computer. The instructions are executable to perform the method described above with reference to claim 11. Accordingly, Applicants respectfully submit that claim 22 is patentable for at least the reasons given with respect to claim 11.

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Claims 33 and 34 are drawn to an apparatus for providing information regarding savings associated with travel alternatives. The apparatus includes elements that perform functions similar to the process steps described above with reference to claim 11. Accordingly, Applicants respectfully submit that claims 33 and 34 are patentable for at least the reasons given with respect to claim 11.

Dependent claims 37-42 are deemed allowable for at least the reasons set forth above for their respective base claims.

Regarding claim 43, the Examiner asserted in the Final Office Action that Ahlstrom et al. teaches each recitation of this claim (see Final Office Action, page 5, paragraph 11). In addition to the reasons set forth for claim 1 above, Applicants respectfully disagree with the Examiner. Ahlstrom et al. does not teach or suggest, among other things, identifying at least one alternative itinerary including an alternate originating location or destination that is different than the originating location or destination included in the request, as recited in claim 11. Ahlstrom et al. teaches determining alternate travel legs for a journey that includes an origination and destination location. The reference does not teach or suggest determining alternative itineraries that include a different origination or destination location. Accordingly, Applicants request the reconsideration and allowance of claim 43.

Regarding claims 44-48, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach or suggest, among other things, providing a report including an indication of a first value, an alternate value for each alternate itinerary, and a savings value, as recited in these claims. Accordingly, Applicants request the timely allowance of claims 44-48.

Regarding claim 49, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach or suggest, among other things, providing a report including a

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geographical map that contains graphical representations of origination, destination, and alternate locations, paths associated with these locations, and a cost of travel for each path, as recited in the claim. Accordingly, Applicants request the timely allowance of claim 49.

Regarding claims 50 and 51, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach or suggest, among other things, providing a report to a user such that the user may visually inspect a map including a graphical representation of the route between origination and destination locations and alternate routes, and a travel cost for each corresponding route, as recited in these claims. Accordingly, Applicants request the timely allowance of claims 50 and 51.

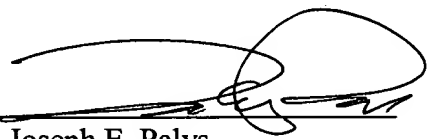
Based on the foregoing arguments, Applicants request the timely allowance of claims 1-8, 10-19, 21-30, and 32-51.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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